

87th Legislative Session – 2012

Committee: Senate Taxation

Monday, February 06, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Fryslie
P Hundstad
P Maher
P Nelson (Tom)
P Nygaard
P Lederman, Vice-Chair
P Hansen (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Hansen.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 1ST

Moved by: Nelson (Tom)
Second by: Fryslie
Action: Prevailed by voice vote.

SB 95: modify distributions from the wind energy tax fund.

THE CHAIR DEFERRED SB 95 UNTIL WEDNESDAY, FEBRUARY 8TH

SB 110: increase the maximum occupational tax that may be imposed on transient guests for business improvement districts.

Presented by: Senator Thomas Nelson (Handout #1)
Proponents: Paul Young, self, Spearfish
Joe Neeb, self, Spearfish
Brent Harl, self, Spearfish

Greg Krier, self, Spearfish
Yvonne Taylor, SD Municipal League
Roger Tellinghuisen, ISIS Hospitality, LLC
Brad Hemman, self, Deadwood
Paul Darling, self, Aberdeen
Opponents: Harry Christianson, Chrisbro, LLC
David Wiest, Department of Revenue
Michele Brich, SD Innkeepers Association
Julie Johnson, Aberdeen Hotel Alliance

MOTION: AMEND SB 110

110fa

On page 2, line 7, of the printed bill, delete "five" and insert "three".

Moved by: Frysliie
Second by: Lederman
Action: Prevailed by voice vote.

MOTION: DEFER SB 110 TO THE 41ST LEGISLATIVE DAY

Moved by: Frysliie
Second by: Nygaard
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS SB 110 AS AMENDED

Moved by: Nelson (Tom)
Second by: Lederman
Action: Failed by roll call vote. (2-4-1-0)

Voting Yes: Nelson (Tom), Lederman

Voting No: Frysliie, Maher, Nygaard, Hansen (Tom)

Excused: Hundstad

THE MOTION TO DEFER SB 110 TO THE 41ST LEGISLATIVE DAY

Moved by: Frysliie

Second by: Nygaard
Action: PREVAILED BY ROLL CALL VOTE. (4-2-1-0)

Voting Yes: Fryslie, Maher, Nygaard, Hansen (Tom)

Voting No: Nelson (Tom), Lederman

Excused: Hundstad

SB 120: temporarily increase the state sales and use tax and to declare an emergency.

Presented by: Senator Stanford Adelstein
Opponents: Jim Terwilliger, Bureau of Finance and Management

MOTION: AMEND SB 120

120fa

On page 2, between lines 4 and 5 of the printed bill, insert:

" Section 5. There is hereby appropriated from the general fund the sum of thirty million dollars (\$30,000,000), or so much thereof as may be necessary, to the Department of Education for the purpose of a one-time payment to school districts.

Section 6. Before October 1, 2012, the secretary of the Department of Education shall distribute the funds, on a one-time basis, appropriated by section 5 of this Act to school districts based on fall enrollment, defined in subdivision 13-13-10.1(2A), as calculated for school fiscal year 2012.

Section 7. The secretary of the Department of Education shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Moved by: Maher
Second by: Nygaard
Action: Prevailed by voice vote.

MOTION: DEFER SB 120 TO THE 41ST LEGISLATIVE DAY

Moved by: Fryslie
Second by: Maher
Action: Prevailed by roll call vote. (4-1-2-0)

Voting Yes: Fryslie, Maher, Nygaard, Hansen (Tom)

Voting No: Nelson (Tom)

Excused: Hundstad, Lederman

SB 142: impose the sales tax on the gross receipts derived from renting mini-storage units, self-storage units, or storage space and the use tax on the use of mini-storage units, self-storage units, or storage space.

Presented by: Senator Eldon Nygaard

Opponents: Erdean Olsen, self, Rapid City
Craig Nelson, self, Rapid City
Sonya Sherwood, self, Pierre
Rick Geffre, self, Pierre

MOTION: DEFER SB 142 TO THE 41ST LEGISLATIVE DAY

Moved by: Maher
Second by: Hundstad
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS SB 142

Moved by: Nygaard
Second by: Lederman
Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Fryslie, Nygaard, Lederman, Hansen (Tom)

Voting No: Hundstad, Maher, Nelson (Tom)

MOTION: ADJOURN

Moved by: Fryslie
Second by: Lederman
Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Hansen, Chair